

DISTRICT COURT OF THE STATE OF NEW YORK

Maverick Process 516-693-1100

COUNTY OF SOUTHERN

U.S. UNDERWRITERS INSURANCE COMPANY,

Petitioner(s)

Plaintiff(s)

Defendant(s)

Respondent(s)

ATTORNEY

SOKOLOFF

21380

RETURN DATE

INDEX NO

08 CV 2780

INDEX DATE

3/17/2008

CALENDAR NO

3rd PARTY INDEX#

JUDGE SULLIVAN

- against -

LIBERTY SQUARE REALTY, INC., ALEJANDRO L. LUCERO-VASQUEZ
AND THE CITY OF NEW YORK,

STATE OF NEW YORK; COUNTY OF NASSAU

SS:

AFFIDAVIT OF SERVICE

THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION
AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on 3/20/2008 at 4:04 PM at 100 CHURCH STREET NEW YORK, NY 10007

deponent served the within SUMMONS IN A CIVIL ACTION & COMPLAINT

upon

THE CITY OF NEW YORK

☒ Said Documents Were Properly Endorsed with the
Index Number and Date of Filing thereon

witness/defendant/respondent (hereinafter called the recipient) therein named.

A. Individual By Personally delivering to and leaving with said individual, and that he knew the person so served and described as recipient thereof

B. Corp/ ☒ By delivering to and leaving with TENEKIA MENDES-GAMMON and that he knew the person
so served and authorized to accept service to ☐ an officer ☐ Director ☒ managing agent or general agent ☐ cashier ☐ Asst Cashier
Prtnshp ☐ Agent authorized by appointment or by law to receive service.C. Suitable Age Person By delivering thereto a true copy of each to a person of suitable age and discretion.
Said premises is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of abode within the stateD. Affixing to Door, Etc. By affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling place
☐ usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age
discretion, thereto, having called thereDeponent talked to @ @ who stated that recipient ☐ lived ☐ worked there.E. Mailing W/B, C or On Deponent completed said service under the last two sections by mailing a copy of
the above named process by First Class Mail addressed to the witness/defendant/respondent to the above address of service which
is recipient's ☐ last known residence ☐ last known place of business (with additional endorsement of Personal and Confidential
on face of envelope.)
☐ RPAPL 735 An additional mailing by Certified Mail was made to the respondent at the premise sought to be recovered.F. DRL Sec232 The required notice was legibly printed on the face of the summons. I identified the defendant by photograph annexed hereto
which was provided by the plaintiff.G. SEX SKIN COLOR HAIR COLOR AGE (approx.) HEIGHT (approx.) WEIGHT (approx.)
Description F BLACK BROWN 35 5'7" 150
☒ OTHER

Sec.8001 Fee A fee of \$0.00, pursuant to CPLR Section 8001, was tendered to the witness.

Military ☐ I asked the person spoken to whether the defendant/respondent was in active military service of the United States or of the
State of New York in any capacity whatever and received a negative reply. Defendant/Respondent wore ordinary civilian
clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and
observations above narrated. Upon information and belief I aver that the defendant/respondent is not in the military service of
New York State or of the United States as the term is defined in either the State or in the Federal statutes.

Sworn Before me this day 21 of

MARCH

2008

DONNA L. ODRISCOLL
NOTARY PUBLIC, State of New York
No. 010D6128123
Qualified in Nassau County
Commission Expires on 4/25/2009

DAVID A SMITH #0912050

JULIE SULLIVAN

AO 440 (Rev. 5/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

U.S. UNDERWRITERS INSURANCE COMPANY

SUMMONS IN A CIVIL ACTION

V.

LIBERTY SQUARE REALTY, INC.,
ALEJANDRO L. LUCERO-VASQUEZ and THE
CITY OF NEW YORK

CASE NUMBER:

COPY

TO: (Name and address of Defendant)

The City of New York
100 Church Street
New York, NY 10007

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (Name and Address)

Miranda Sokoloff Sambursky Stone Verveniotti LLP
Steven Verveniotti, Esq.
240 Mineola Boulevard
Mineola, NY 11501

CITY OF NEW YORK
OFFICE OF THE
CITY CLERK
2008 MAR 20 PM 4 04

an answer to the complaint which is served on you with this summons, within 30 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

MAR 17 2008

CLERK

DATE

(By) DEPUTY CLERK